EQSC SEPTIC SYSTEMS SUBCOMMITTEE

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 232-9588 Fax: (317) 232-2554

MEETING MINUTES[1]

Meeting Date:	**August 7, 2000**
Meeting Time:	**1:00 P.M.**
Meeting Place:	**State House, 200 W. Washington St., Room 233**
Meeting City:	**Indianapolis, Indiana**
Meeting Number:	**1**

Members Present: **Sen. Beverly Gard, Chairperson; Sen. Glenn Howard; Rep. Ron Herrell; Rep. David Wolkins; David Benshoof; Randy Edgemon; Kerry Michael Manders; Gary Reding; Arthur Smith, Jr.; The Honorable Jim Trobaugh.**

Members Absent: **Rep. Dale Sturtz.**

Senator Beverly Gard, Chairperson of the EQSC Septic Systems Subcommittee (Subcommittee), called the meeting to order at 1:10 PM. After introducing the

[1] Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of $0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is http://www.ai.org/legislative/. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Subcommittee members and the advisory members, Senator Gard introduced Howard Cundiff from the Indiana State Department of Health (ISDH).

Mr. Cundiff stated the following concerning septic systems (see Exhibit 1):

*Twenty-five percent of households in the United States are not connected to sanitary sewers compared to 31.5% of Indiana households that are not connected to sanitary sewers.
*The typical household septic tank system is a gravity on-site system (OSS). In this OSS, wastewater flows from the household into a septic tank. The waste components separate. The heavier solids (sludge) settle to the bottom, the grease and fatty solids (scum) float to the top, and the liquid portion (effluent) flows through an outlet to the soil absorption field.
*Surveys of local health departments in Indiana have resulted in estimates that 25% to 70% of systems are in failure and have not been repaired.
*Assuming a life expectancy for OSS of 20 years, the annual failure rate for OSS in Indiana is 1.2% to 3.5%.
*ISDH rule 410 IAC 6-8.1 defines on-site sewage disposal failure as sewage backing up into household plumbing due to system overload, effluent seeping to or ponding on the surface of the ground, or effluent contaminating a water supply, ground water, or surface water.
*Many of Indiana's problems include older homes with antiquated OSS or no OSS at all, lake cottages on small lots converted to year round residency, and connections to town drains.
*Some local health departments lack strong OSS programs. Enforcement has been problematic because of variations between local health departments and lack of resources.
*Data from a 40 county survey in 1999 indicated 93% of systems that failed were more than 10 years old.
*A 1999 survey of 82 local health departments indicated 72.3% of OSS permits that were issued were issued for new OSS and 27.7% were issued for the repair or replacement of OSS.
*A 1999 survey estimated 550 rural Indiana communities without sanitary sewers have sewage problems.
*Problems with older OSS include poor soils for on-site treatment, high water tables with no possible drainage, small lot sizes, and high costs to repair or replace the system.
*Options for failed OSS include the use of sanitary sewers tied into a wastewater treatment plant, "pump and haul," on-site repair or replacement using existing OSS technology, pretreatment technology, or alternative technology, and cluster systems using on-site technology.
*The ISDH promulgates rules for residential and commercial on-site systems while the Indiana Department of Environmental Management (IDEM) regulates discharging systems and cluster on-site systems for municipalities and sewer and conservancy districts.
*Highlights of proposed ISDH OSS rules, scheduled to take effect January 1, 2002, include the following:
    *Combines residential and commercial rules and requirements into one rule.
    *Removes inconsistencies between residential and commercial programs.
    *Updates and clarifies requirements.
    *Adds secondary treatment devices that allow for downsizing of soil absorption fields, are repairable, and protect soil absorption fields. (These secondary treatment devices include aerobic treatment units, recirculating sand filters, non-recirculating sand filters, and constructed

wetlands.)
*Addresses groundwater standards under IC 13-18-17.
*Accomplishes nitrate reduction through the use of recirculating sand filters.
*Requires operation and maintenance programs for secondary treatment devices and treatment devices for high strength waste.

*The future of OSS in Indiana includes increased use of cluster systems, use of secondary treatment devices, drip irrigation with secondary treatment, operation and maintenance programs, maximum use of private enterprise, certification programs for installers, and increased training and education.
*The use of cluster OSS allows for development of unsuitable sites by joint use of a remote suitable site for the soil absorption field. Cluster OSS are a possible solution for older communities, but obstacles include up-front costs, developers that are unfamiliar with the technology, and general resistance to change and innovation.
*Though not required, operation and maintenance for septic tanks for all OSS, including pumping and cleaning every five years, is essential to increasing the life of the soil absorption field.
*Disposal options for septage from septic tank pumpers and cleaners must be addressed.

In response to questions, Mr. Cundiff stated the following:

*The ISDH works with county sanitarians and if counties or local health departments need help they do contact the ISDH.
*The ISDH has an agreement with IDEM concerning cluster OSS whereby IDEM regulates systems that handle at least 10,000 gallons per day and the ISDH regulates systems that handle less than 10,000 gallons per day.
*Soil type and the number of bedrooms in a residence determines the type of OSS the residence needs.
*There are conflicts between local zoning authorities and local health departments concerning the approval of septic systems for residences and residential developments. The ISDH has no authority over local planning commissions.
*ISDH has no hard data on health problems caused around the state by septic systems but failed systems create a definite health hazard.
*People who repair or maintain septic systems are not required to report system failures they discover to any governmental entity.
*The ISDH regulates mobile home parks and sewage disposal and treatment at these parks.
*The proposed ISDH rules will only apply to new construction and not old systems or repairs to old systems.
*Local health departments must approve new septic systems before they are constructed. These departments are required to conform to state rules. A local health department in one county illegally issued a permit for a residential project and the county commissioners eventually had to purchase the residence because it was not possible to provide any sewage disposal system for the residence.

The next person to testify was Matt Rueff from IDEM. Mr. Rueff stated the following:

*IDEM defers to the ISDH concerning the design of most septic systems.
*IDEM is addressing water pollution problems by trying to identify all potential sources of pollution within a single watershed and trying to create a structure for reasonable management and financial packages to deal with the problems.
*Septic haulers that deliver their loads to wastewater treatment plants can create imbalances in those plants. The plant in Kokomo has experienced several

problems caused by these imbalances.
*Alternatives to wastewater treatment plant delivery need to be developed. The creation of regional systems for septic haulers is a possibility, but there are administrative and financial challenges to overcome.
*Septic haulers are also allowed to apply their loads to land, but land application is limited and well regulated.

The Subcommittee and interested parties discussed examining the following topics in more detail at future meetings:

*Problems caused by the Indiana Utility Regulatory Commission when regulating cluster OSS and other larger systems.
*Funding options for septic systems.
*Training and certification programs for septic system installers.
*Indiana soil classification issues.
*Local health department issues.
*Use of extension services to deal with septic system problems.
*Prioritizing health problems.
*Examining problems with septic systems in conjunction with combined sewer overflow problems.
*Examining issues in specific localities, such as groundwater contamination problems in Clinton County.

Senator Gard announced the second meeting of the Subcommittee would take place on Thursday, September 7, at 1:30 PM. Senator Gard adjourned the meeting at 3:30 PM.